

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Board of Patent Appeals and Interferences

In re Patent Application of

Atty Dkt. HWB-2380-1295

C# M#

Confirmation No. 1940

HILDEBRAND et al.

TC/A.U.: 2617

Serial No. 10/538,350

Examiner: Khan, M.B.

Filed: June 10, 2005

Date: October 8, 2010

Title: ADAPTIVE CONTROL METHOD FOR OPERATING COMMUNICATIONS  
ENVIRONMENTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

☐ **Correspondence Address Indication Form Attached.**

☒ **NOTICE OF APPEAL**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences  
from the last decision of the Examiner twice/finally rejecting  
applicant's claim(s).

\$540.00 (1401)/\$270.00 (2401) \$ 540.00

☐ An appeal **BRIEF** is attached in the pending appeal of the  
above-identified application

\$540.00 (1402)/\$270.00 (2402) \$

☐ Credit for fees paid in prior appeal without decision on merits

-\$ ( )

☐ A reply brief is attached.

(no fee)

☒ Pre-Appeal Brief Request for Review form attached.

☒ Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s)

One Month Extension \$130.00 (1251)/\$65.00 (2251)

Two Month Extensions \$490.00 (1252)/\$245.00 (2252)

Three Month Extensions \$1110.00 (1253)/\$555.00 (2253)

Four Month Extensions \$1730.00 (1254)/\$865.00 (2254) \$ 130.00

☐ "Small entity" statement attached.

Less month extension previously paid on

-\$ ( )

**TOTAL FEE ENCLOSED \$ 670.00**

☒ **CREDIT CARD PAYMENT ATTACHED.**

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.  
The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or  
asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this  
firm) to our **Account No. 14-1140**.

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HWB:lsH

NIXON & VANDERHYE P.C.

By Atty: H. Warren Burnam, Jr., Reg. No. 29,366

Signature: \_\_\_\_\_/H. Warren Burnam, Jr./